UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:21-cy-554-MOC

MICHAEL WYLIE,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of)	
Social Security,)	
Defendant.)	
	_)	

THIS MATTER in on Plaintiff's motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b) in the amount of \$20,459.40. (Doc. No. 17). Defendant filed a response to the motion, noting that under <u>Gisbrecht v. Barnhart</u>, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. (Doc. No. 22). The Court finds that the requested amount is reasonable. Therefore, the motion is **GRANTED**.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$20,459.40, and refund to Plaintiff the smaller award between this amount and the received EAJA award amount.

IT IS SO ORDERED.

¹ As Defendant notes in its response, this amount results in a reimbursed hourly fee of \$1,278.71. While this amount is high, Plaintiff's counsel asserts that counsel spent more than 75 hours representing Plaintiff before the SSA before filing this action. The Court finds that the requested amount is reasonable.

Signed: June 9, 2023

Max O. Cogburn Jr United States District Judge

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